IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 19024 of 2007(M)

PETITIONER:

M.V.SUDHAN, S/O. VASU,
MANGATTUJALIL HOUSE, RAMAVARMAPURAM,
S.J.COLONY, TRICHUR.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

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1. THE SALE OFFICER/UNIT INSPECTOR,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, TRICHUR.

2. VILAVATTOM SERVICE CO-OPERATIVE BANK LTD., H.O.KURICHIKKARA P.O., TRICHUR,
REPRESENTED BY ITS SECRETARY.

R1 BY SR. GOVT. PLEADER SRI. P.N. SANTHOSH.
R2 BY ADV. SRI. C.E. UNNIKRISHNAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.19024 of 2007

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Dated this the 21st day of June, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid resulting in Ext.P3 sale notice, which is challenged before this court.

2. I heard learned counsel for the petitioner, learned Government Pleader and learned counsel appearing for the second respondent. Counsel for the petitioner submits that the petitioner may be given some time to pay off the amount in instalments. He also submits that the petitioner may be given the benefit of Circular No.30/2007, if he is eligible for the same.

The writ petition is disposed of as follows:

Petitioner is permitted to pay off the entire amount due in eight equal monthly instalments. The second respondent Bank will consider whether the petitioner is entitled to any benefit under Circular No.30/2007 and grant such benefits as the petitioner is entitled to and serve a statement within a period of two weeks from today showing the amount payable by the petitioner and also showing the amount payable

as instalment on the basis that he has to pay the amount in eight equal monthly instalments. Petitioner is permitted to pay the entire amount in eight equal monthly instalments, the first of which shall be paid on or before 16.7.2007 and the subsequent instalments shall be paid on or before the 16th of the succeeding months. If the petitioner commits default in payment of any one instalment, the Bank is free to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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